



Ifn

Atty. Dkt. No. 023032-0108

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joseph ROBERTS et al.

Title: GENETICALLY ENGINEERED
GLUTAMINASE AND ITS USE IN
ANTIVIRAL AND ANTICANCER THERAPY

Appl. No.: 09/842,628

Filing Date: 4/27/2001

Examiner: Timothy M. Brown

Art Unit: 1648

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed April 20, 2004, applicants hereby elect Group IV, Claims 51-57, for examination, without traverse.

The Examiner has required restriction between Claims 24-27, 29, 30, and 48-50 (Group I), drawn to a cell-free preparation of *Pseudomonas* glutaminase; Claims 24 and 28 (Group II), drawn to a product by process using DNA in a recombinant microorganism to obtain therapeutically suitable glutaminase; Claim 47 (Group III), drawn to a nucleic acid comprising SEQ ID NO: 1; and Claims 51-57 (Group IV), drawn to a method for producing glutaminase through the cell culture of a recombinant microorganism.

In response to the restriction requirement, applicants elect Group IV, Claims 51-57, for examination. This election is made without traverse. Applicants reserve the right to file one or more divisional applications directed to the non-elected subject matter. In addition, applicants request that, once allowable subject matter is indicated, the Examiner

allow them to rejoin the restricted claims if they are revised to conform to the allowable subject matter.

If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 19-0741. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

Date 20 May 2004

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5404
Facsimile: (202) 672-5399

By S. A. Bent

Stephen A. Bent
Attorney for Applicant
Registration No. 29,768